

SEC. 529. AUTHORITY OF MILITARY JUDGES AND MILITARY MAGISTRATES TO
ISSUE MILITARY COURT PROTECTIVE ORDERS.

(a) Judge-issued Military Court Protective Orders.--Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

``Sec. 1567b. Authority of military judges and military magistrates to issue military court protective orders

``(a) Authority to Issue Military Court Protective Orders.--The President shall prescribe regulations authorizing military judges and military magistrates to issue protective orders in accordance with this section. A protective order issued in accordance with this section shall be known as a 'military court protective order'. Under the regulations prescribed by the President, military judges and military magistrates shall have exclusive jurisdiction over the issuance, appeal, renewal, and termination of military court protective orders and such orders may not be issued, appealed, renewed, or terminated by State, local, territorial, or tribal courts.

``(b) Enforcement by Civilian Authorities.--

``(1) In general.--In prescribing regulations for military court protective orders, the President shall seek to ensure that the protective orders are issued in a form and manner that is enforceable by State, local, territorial, and tribal civilian law enforcement authorities.

``(2) Full faith and credit.--Any military court protective order shall be accorded full faith and credit by the court of a State, local, territorial, or tribal jurisdiction (the enforcing jurisdiction) and enforced by the court and law enforcement personnel of that jurisdiction as if it were the order of the enforcing jurisdiction.

``(3) Reciprocity agreements.--Consistent with paragraphs (1) and (2), the Secretary of Defense shall seek to enter into reciprocity agreements with State, local, territorial, and tribal civilian law enforcement authorities under which--

``(A) such authorities agree to enforce military court protective orders; and

``(B) the Secretary agrees to enforce protective orders issued by such authorities that are consistent with section 2265(b) of title 18.

``(c) Purpose and Form of Issuance.--A military court protective order--

``(1) may be issued for the purpose of protecting a victim of an alleged covered offense, or a family member or associate of the victim, from a person subject to chapter 47 of this title (the Uniform Code of Military Justice) who is alleged to have committed such an offense; and

``(2) shall include--

``(A) a finding regarding whether such person represents a credible threat to the physical safety of such alleged victim;

``(B) a finding regarding whether the alleged victim is an intimate partner or child of such person; and

``(C) if applicable, terms explicitly prohibiting the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury against such intimate partner or child.

``(d) Burden of Proof.--In determining whether to issue a military court protective order, a military judge or military magistrate shall make all relevant findings by a preponderance of the evidence. The burden shall be on the party requesting the order to produce sufficient information to satisfy the preponderance of the evidence standard referred to in the preceding sentence.

``(e) Timing and Manner of Issuance.--A military court protective order may be issued--

- ``(1) by a military magistrate, before referral of charges and specifications to court-martial for trial, at the request of--
 - ``(A) a victim of an alleged covered offense; or
 - ``(B) a Special Victims' Counsel or other qualified counsel acting on behalf of the victim; or
- ``(2) by a military judge, after referral of charges and specifications to court-martial for trial, at the request of qualified counsel, which may include a Special Victims' Counsel acting on behalf of the victim or trial counsel acting on behalf of the prosecution.

``(f) Duration and Renewal of Protective Order.--

- ``(1) Duration.--A military court protective order shall be issued for an initial period of up to 180 days and may be reissued for one or more additional periods, each of which may be up to 180 days, in accordance with paragraph (2).
- ``(2) Expiration and renewal.--Before the expiration of any period during which a military court protective order is in effect, a military judge or military magistrate shall review the order to determine whether the order will terminate at the expiration of such period or be reissued for an additional period of up to 180 days.
- ``(3) Notice to protected persons.--If a military judge or military magistrate determines under paragraph (2) that a military court protective order will terminate, the judge or magistrate concerned shall direct that each person protected by the order be provided with reasonable, timely, and accurate notification of the termination.

``(g) Review of Magistrate-issued Orders.--

- ``(1) Review.--A military judge, at the request of the person subject to a military court protective order that was issued by a military magistrate, may review the order to determine if the order was properly issued by the magistrate.
- ``(2) Standards of review.--A military judge who reviews an order under paragraph (1) shall terminate the order if the judge determines that--
 - ``(A) the military magistrate's decision to issue the order was an abuse of discretion, and there is not sufficient information presented to the military judge to justify the order; or
 - ``(B) information not presented to the military magistrate establishes that the military court protective order should be terminated.

``(h) Due Process.--

- ``(1) Protection of due process.--Except as provided in paragraph (2), a protective order authorized under subsection (a) may be issued only after reasonable notice and opportunity to be heard and to present evidence, directly or through counsel, is given to the person against whom the order is sought sufficient to protect that person's right to due process.
- ``(2) Emergency orders.--A protective order on an emergency basis may be issued on an ex parte basis under such rules and limitations as the President shall prescribe. In the case of ex parte orders, notice and opportunity to be heard and to present evidence must be provided within a reasonable time not to exceed 30 calendar days after the date on which the order is issued, sufficient to protect the respondent's due process rights.

``(i) Rights of Victim.--The victim of an alleged covered offense who seeks a military court protective order has, in addition to any

rights provided under section 806b (article 6b), the following rights with respect to any proceeding involving the protective order:

``(1) The right to reasonable, accurate, and timely notice of the proceeding and of any change in the status of the protective order resulting from the proceeding.

``(2) The right to be reasonably heard at the proceeding.

``(3) The right to appear in person, with or without counsel, at the proceeding.

``(4) The right be represented by qualified counsel in connection with the proceeding, which may include a Special Victims' Counsel.

``(5) The reasonable right to confer with a representative of the command of the accused and counsel representing the government at the proceeding, as applicable.

``(6) The right to submit a written statement, directly or through counsel, for consideration by the military judge or military magistrate presiding over the proceeding.

``(j) Restrictions on Access to Firearms.--

``(1) In general.--Notwithstanding any other provision of law--

``(A) a military court protective order issued on an ex parte basis shall restrain a person from possessing, receiving, or otherwise accessing a firearm; and

``(B) a military court protective order issued after the person to be subject to the order has received notice and opportunity to be heard on the order, shall restrain such person from possessing, receiving, or otherwise accessing a firearm in accordance with section 922 of title 18.

``(2) Notice to attorneys general.--

``(A) Notice of issuance.--Not later than 72 hours after the issuance of an order described in paragraph (1), the Secretary concerned shall submit a record of the order--

``(i) to the Attorney General of the United States; and

``(ii) to the Attorney General of the State or Territory in which the order is issued.

``(B) Notice of rescission or expiration.--Not later than 72 hours after the rescission or expiration of an order described in paragraph (1), the Secretary concerned shall submit notice of such rescission or expiration to the Attorneys General specified in subparagraph (A).

``(k) Treatment as Lawful Order.--A military court protective order shall be treated as a lawful order for purposes of the application of section 892 (article 92) and a violation of such an order shall be punishable under such section (article).

``(l) Command Matters.--

``(1) Inclusion in personnel file.--Any military court protective order against a member shall be placed and retained in the military personnel file of the member, except that such protective order shall be removed from the military personnel file of the member if the member is acquitted of the offense to which the order pertains, it is determined that the member did not commit the act giving rise to the protective order, or it is determined that the protective order was issued in error.

``(2) Notice to civilian law enforcement of issuance.--Any military court protective order against a member shall be treated as a military protective order for purposes of section 1567a including for purposes of mandatory notification of issuance to Federal and State civilian law enforcement agencies

as required by that section.

((m) Relationship to Other Authorities.--Nothing in this section may be construed as prohibiting--

((1) a commanding officer from issuing or enforcing any otherwise lawful order in the nature of a protective order to or against members of the officer's command;

((2) pretrial restraint in accordance with Rule for Courts-Martial 304 (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule); or

((3) pretrial confinement in accordance with Rule for Courts-Martial 305 (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule).

((n) Delivery to Certain Persons.--A physical and electronic copy of any military court protective order shall be provided, as soon as practicable after issuance, to the following:

((1) The person or persons protected by the protective order or to the guardian of such a person if such person is under the age of 18 years.

((2) The person subject to the protective order.

((3) To such commanding officer in the chain of command of the person subject to the protective order as the President shall prescribe for purposes of this section.

((o) Definitions.--In this section:

((1) Contact.--The term 'contact' includes contact in person or through a third party, or through gifts,

((2) Communication.--The term 'communication' includes communication in person or through a third party, and by telephone or in writing by letter, data fax, or other electronic means.

((3) Covered offense.--The term 'covered offense' means the following:

((A) An alleged offense under section 920, 920a, 920b, 920c, or 920d of this title (article 120, 120a, 120b, 120c, or 120d of the Uniform Code of Military Justice).

((B) An alleged offense of stalking under section 930 of this title (article 130 of the Uniform Code of Military Justice).

((C) An alleged offense of domestic violence under section 928b of this title (article 128b of the Uniform Code of Military Justice).

((D) A conspiracy to commit an offense specified in subparagraphs (A) through (C) as punishable under section 881 of this title (article 81 of the Uniform Code of Military Justice).

((E) A solicitation to commit an offense specified in subparagraphs (A) through (C) as punishable under section 882 of this title (article 82 of the Uniform Code of Military Justice).

((F) An attempt to commit an offense specified in subparagraphs (A) through (C) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

((4) Military judge and military magistrate.--The terms 'military judge' and 'military magistrate' mean a commissioned officer of the armed forces who is a member of the bar of a Federal court or a member of the bar of the highest court of a State and who is certified to be qualified, by reason of education, training, experience, and judicial temperament, for duty as a military judge or magistrate by the Judge Advocate General of the armed force of which the officer is a member.

((5) Protective order.--The term 'protective order' means an order that--

``(A) restrains a person from harassing, stalking, threatening, or otherwise contacting or communicating with a victim of an alleged covered offense, or a family member or associate of the victim, or engaging in other conduct that would place such other person in reasonable fear of bodily injury to any such other person;

``(B) by its terms, explicitly prohibits--

``(i) the use, attempted use, or threatened use of physical force by the person against a victim of an alleged covered offense, or a family member or associate of the victim, that would reasonably be expected to cause bodily injury;

``(ii) the initiation by the person restrained of any contact or communication with such other person;

``(iii) any other behavior by the person restrained that the court deems necessary to provide for the safety and welfare of the victim of an alleged covered offense, or a family member or associate of the victim; or

``(iv) actions described by any of clauses (i) through (iii).

``(6) Special victims' counsel.--The term `Special Victims Counsel' means a Special Victims' Counsel described in section 1044e and includes a Victims' Legal Counsel of the Navy.''

(b) Clerical Amendment.--The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

``1567b. Authority of military judges and military magistrates to issue military court protective orders.''

(c) Implementation.--The President shall prescribe regulations implementing section 1567b of title 10, United States Code (as added by subsection (a)), by not later than one year after the date of the enactment of this Act.

SEC. 529A. COUNTERING EXTREMISM IN THE ARMED FORCES.

(a) In General.--Part II of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

``CHAPTER 89--COUNTERING EXTREMISM

``1801. Office of Countering Extremism.

``1802. Training and education.

``1803. Data collection and analysis.

``1804. Reporting requirements.

``1805. Definitions.

``Sec. 1801. Office of Countering Extremism

``(a) Establishment.--(1) There is an Office of Countering Extremism (in this section referred to as the `Office') within the Office of the Under Secretary of Defense for Personnel and Readiness.

``(2) The Office shall be headed by the Director of Countering Extremism (in this chapter referred to as the `Director'), who shall be appointed by the Secretary of Defense, in consultation with the Secretary of Homeland Security, and report directly to the Under Secretary of Defense for Personnel and Readiness and the Secretary.

``(b) Duties.--The Director shall--

``(1) be responsible for policy of countering extremism within the armed forces;

``(2) in coordination with the Secretaries of the military departments, develop and implement programs, resources, and

activities to counter extremism within the armed forces;

((3) establish policies to ensure adequate protection, transparency of process, and availability of resources for individuals who report incidents of extremism;

((4) facilitate and coordinate with the Secretaries of the military departments, law enforcement organizations, security organizations, and insider threat programs in the armed forces;

((5) engage and interact with, and solicit recommendations from, outside experts on extremism;

((6) coordinate with--

((A) the Under Secretary for Defense for Intelligence and Security; and

((B) the Deputy Inspector General of the Department of Defense for Diversity and Inclusion and Supremacist, Extremism and Criminal Gang Activity; and

((7) perform any additional duties prescribed by the Secretary of Defense, in consultation with the Secretary of Homeland Security.

Sec. 1802. Training and education

((a) In General.--The Secretary of each military department, in coordination with the Director, shall develop and implement training and education programs and related materials to assist members of the armed forces and civilian employees of the armed forces in identifying, preventing, responding to, reporting, and mitigating the risk of extremism.

((b) Extremist Insider Threat Training.--(1) The training and education programs and materials described in subsection (a) shall include information on the following:

((A) What constitutes an extremist insider threat.

((B) Risks posed by extremist insider threats.

((C) How to identify extremist insider threats.

((D) How to recognize when an individual is being influenced by extremism or targeted for recruitment by extremist groups.

((E) Information about procedures on when and how to report detected extremist insider threats.

((F) Resources for reporting outside the chain of command.

((G) Media literacy training.

((H) Whistleblower protections.

((I) Such other information as may be required by the Secretary of Defense, in consultation with the Secretary of Homeland Security.

((2) The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall provide the training and education described in subsection (a) as part of each of the following:

((A) Initial entry training for members of the armed forces.

((B) Curricula of--

((i) the United States Army Training and Doctrine Command;

((ii) the Naval Education and Training Command;

((iii) the Air Education and Training Command;

((iv) all pre-commissioning programs of the Department of Defense;

((v) the military service academies;

((vi) the Coast Guard Education and Training Quota Management Command;

((vii) the Coast Guard Academy; and

((viii) all pre-commissioning programs of the Coast Guard.

((C) Certification courses required for members or officers to be considered for promotion to any grade above E-5, WO-5 (WO-3, in the case of the Coast Guard), or O-5. Such members and officers shall also receive training regarding--

((i) how to identify emerging extremist insider

threat behaviors in a unit; and

``(ii) procedures on when and how to respond when a subordinate reports a suspected extremist insider threat.

``(3) The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall include the information described in paragraph (1) in brochures, posters, print and online publications, or other educational materials of the armed forces.

``(c) Recruiter Training.--The Secretary of each military department, in coordination with the Director, shall coordinate with the recruiting activities and organization of the armed forces to develop and carry out a training program for recruiters on how to--

``(1) identify indicators of extremism in potential recruits;

``(2) identify members of extremist organizations in potential recruits; and

``(3) screen potential recruits for extremist ties to ensure potential recruits comply with enlistment, accession, or commissioning requirements.

``Sec. 1803. Data collection and analysis

``(a) In General.--The Director shall--

``(1) establish and maintain a database on extremist activities in the armed forces; and

``(2) ensure the data collected across the military departments is uniform to the maximum extent practicable.

``(b) Records.--The database established in subsection (a) shall include records on--

``(1) each incident, complaint, or allegation of extremism by a member or civilian employee of the armed forces, including--

``(A) the extremist behavior related to the incident, complaint, or allegation;

``(B) the rank, race, gender, and ethnicity of the individuals involved in the incident, complaint, or allegation;

``(C) each Federal agency involved in investigating the incident, complaint, or allegation;

``(D) any investigation of the incident, complaint, or allegation;

``(E) any action taken by a commander or supervisor in response to the incident, complaint, or allegation;

``(F) any adverse administrative personnel action or punitive action related to the incident, complaint, or allegation, including details of the type of action initiated and the final disposition of such action;

``(G) descriptions of an ideology, movement, or extremist group associated with the incident, complaint, or allegation; and

``(H) records submitted or collected regarding administrative or punitive action referred to in subsection (F).

``(2) each notification from the Federal Bureau of Investigation to the Secretary of Defense, the Secretary of Homeland Security, or a law enforcement agency (if in the possession of either such Secretary), of investigations related to extremism of current and former members of the armed forces, unless such reporting would jeopardize public safety or compromise an ongoing law enforcement investigation;

``(3) responses related to questions about extremism on surveys, questionnaires, command climate surveys, transition checklists, exit surveys, and other information gathering sources;

- ``(4) each involuntary separation or denial of enlistment or commissioning on the basis of extremism;
- ``(5) each security clearance revoked on the basis of extremism; and
- ``(6) any other requirements prescribed by the Secretary of Defense, in consultation with the Secretary of Homeland Security.

``(c) Coordination.--Each Secretary of a military department shall collect records described in subsection (b) and provide them to the Director.

``Sec. 1804. Reporting requirements

``(a) Annual Report.--Not later than December 1 of each year, the Director shall submit to Congress a report on the prevalence of extremist activities within the armed forces that includes the number of individuals--

- ``(1) determined ineligible to serve in the Armed Forces during the preceding fiscal year by reason of engagement in extremist activities;
- ``(2) separated from the Armed Forces during the preceding fiscal year by reason of engagement in extremist activities;
- ``(3) determined ineligible to reenlist in the armed forces during the preceding fiscal year by reason of engagement in extremist activities;
- ``(4) whose security clearances were revoked during the preceding fiscal year by reason of engagement in extremist activities;
- ``(5) statistics of incidents, complaints, and allegations recorded under section 1803(b)--
 - ``(A) disaggregated data by armed force, race, gender, ethnicity, grade, and rank; and
 - ``(B) with any personally identifiable information redacted;
- ``(6) regulations prescribed to counter extremism in the armed forces; and
- ``(7) any recommendations to Congress for related legislative actions to address extremism within the armed forces.

``(b) Publication.--The Secretary of Defense shall--

- ``(1) publish on an appropriate publicly available website of the Department of Defense the reports required by subsection (a); and
- ``(2) ensure that any data included with each such report is made available in a machine-readable format that is downloadable, searchable, and sortable.

``Sec. 1805. Definitions

``In this chapter:

- ``(1) The terms 'extremist activities' and 'extremist organization' have the meanings prescribed by the Secretary of Defense.
- ``(2) The term 'extremist insider threat' means a member or civilian employee of the armed forces with access to Government information, systems, or facilities, who--
 - ``(A) can use such access to do harm to the security of the United States; and
 - ``(B) exhibits extremist behaviors.''

(b) Technical Amendment.--The table of chapters for part II of subtitle A of such title 10 is amended by inserting, after the item relating to chapter 88, the following new item:

``89. Countering Extremism..... 1801''.

(c) Regulations.--The Secretary of Defense shall prescribe regulations under chapter 89 of such title (including definitions under section 1805 of such title), as added by subsection (a), not later than

60 days after the date of the enactment of this Act.

(d) Progress Report.--Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the status of the implementation of chapter 89 of such title, as added by subsection (a).

(e) Prohibition on Extremist Activities.--

(1) Prohibition.--Chapter 39 of title 10, United States Code, is amended by inserting after section 985 the following new section:

``Sec. 986. Prohibition on extremist activities

``(a) Prohibition.--An individual who engages in extremist activities or is a member of an extremist organization may not serve as a member of the armed forces.

``(b) Regulations.--The Secretary of Defense shall prescribe regulations regarding the separation of a member of the armed forces who engages in extremist activities or is a member of an extremist organization.

``(c) Definitions.--In this section, the terms `extremist activities' and `extremist organization' have the meanings given such terms in section 1805 of this title.''.

(2) Clerical amendment.--The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 985 the following new item:

``986. Prohibition on extremist activities.''.

(f) Provision of Information Regarding Extremist Groups in Transition Assistance Program.--Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph (20):

``(20) Information about efforts of extremist groups to recruit former members of the armed forces, including how a member may report such efforts to the Secretary concerned.''.

(g) Authority to Utilize Online Extremist Content as Cause for Separation From an Armed Force.--Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

``Sec. 1301. Authority to utilize online extremist content as cause for separation from an armed force

``The Secretary concerned may use content knowingly shared, disseminated, or otherwise made available online (including on social media platforms and accounts) by an individual who serves in an armed force that expresses support for extremist activities (as that term is defined in section 1804 of this title) as cause for involuntary separation from an armed force.''.

(h) Coordination of Director of Countering Extremism With Deputy Inspector General Regarding Supremacist, Extremist, or Criminal Gang Activity in the Armed Forces.--Section 554(a) (3) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended by adding at the end the following new subparagraph:

``(E) The Director of Countering Extremism.''.

(i) Effective Date.--The amendments made by this section shall take effect on the day that the Secretary of Defense prescribes regulations under subsection (c).

SEC. 529B. REFORM AND IMPROVEMENT OF MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS.

(a) Evaluation and Plan for Reform.--Not later than one year after the date of the enactment of this Act, each Secretary concerned shall--

(1) complete an evaluation of the effectiveness of the military criminal investigative organizations under the jurisdiction of such Secretary: and

(2) submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report that includes--

(A) the results of the evaluation conducted under paragraph (1); and

(B) based on such results, a proposal for reforming such military criminal investigative organizations to ensure that the organizations effectively meet the demand for complex investigations and other emerging mission requirements.

(b) Implementation Plan.--

(1) In general.--Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a plan to implement the reforms to military criminal investigative organizations proposed by the Secretaries concerned under subsection (a) to ensure each such organization is capable of professionally investigating criminal misconduct under its jurisdiction.

(2) Elements.--The plan under paragraph (1) shall include the following:

(A) The requirements that military criminal investigative organizations must meet to effectively carry out criminal investigative and other law enforcement missions in 2022 and subsequent years.

(B) The resources that will be needed to ensure that each military criminal investigative organization can achieve its mission.

(C) An analysis of factors affecting the performance of military criminal investigate organizations, including--

(i) whether appropriate technological investigative tools are available and accessible to such organizations; and

(ii) whether the functions of such organizations would be better supported by civilian rather than military leadership.

(D) For each military criminal investigative organization--

(i) the number of military personnel assigned to such organization;

(ii) the number of civilian personnel assigned to such organization; and

(iii) the functions of such military and civilian personnel.

(E) A description of any plans of the Secretary to develop a more professional workforce of military and civilian investigators.

(F) A proposed timeline for the reform of the military investigative organizations.

(G) An explanation of the potential benefits of such reforms, including a description of--

(i) specific improvements that are expected to result from the reforms; and

(ii) whether the reforms will improve information sharing across military criminal investigative organizations.

(H) With respect to the military criminal investigative organizations of the Army, an explanation of how the plan will--

(i) address the findings of the report of the Fort Hood Independent Review Committee, dated November 6, 2020; and

(ii) coordinate with any other internal reform efforts of the Army.

(c) Limitation on the Changes to Training Locations.--In carrying out this section, the Secretary of Defense may not change the locations at which military criminal investigative training is provided to members of military criminal investigative organizations until--

(1) the implementation plan under subsection (b) is submitted to the appropriate congressional committees; and

(2) a period of 60 days has elapsed following the date on which the Secretary notifies the congressional defense committees of the Secretary's intent to move such training to a different location.

(d) Definitions.--In this section:

(1) The term ``appropriate congressional committees'' means--

(A) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) The term ``military criminal investigative organization'' means each organization or element of the Department of Defense or the Armed Forces that is responsible for conducting criminal investigations, including--

(A) the Army Criminal Investigation Command;

(B) the Naval Criminal Investigative Service;

(C) the Air Force Office of Special Investigations;

(D) the Coast Guard Investigative Service; and

(E) the Defense Criminal Investigative Service.

(3) The term ``Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 529C. MEASURES TO IMPROVE THE SAFETY AND SECURITY OF MEMBERS OF THE ARMED FORCES.

(a) Comprehensive Review of Missing Persons Reporting.--The Secretary of Defense shall instruct the Secretary of each military department to undertake a comprehensive review of the policies and procedures of such military department for reporting members of the Armed Forces absent without leave, on unauthorized absence, or missing.

(b) Review of Installation-level Procedures.--The commander of each military installation shall--

(1) direct each military installation under its command to review its policies and procedures for carrying out the reporting activities described under subsection (a); and

(2) update such installation-level policies and procedures with a view towards force protection, enhanced security for members of the Armed Forces living on base, and prioritizing reporting at the earliest reasonable time to local law enforcement at all levels, and Federal law enforcement field offices with overlapping jurisdiction with that installation, when a member is determined to be missing.

(c) Installation-specific Reporting Protocols.--

(1) In general.--The commander of each military installation shall establish a protocol for sharing information with local and Federal law enforcement agencies about members of the Armed Forces that are absent without leave, on unauthorized absence, or missing. The protocol shall provide, by memorandum of understanding or otherwise, for the commander to notify all local and Federal law enforcement agencies with jurisdiction over the immediate area of the military installation--

(A) immediately when the status of a member assigned to such installation has been changed to absent without leave, on unauthorized absence, or missing (including whether the commander determines that such member has a violent intent, based on criteria including whether a firearm is missing from such military installation); and

(B) of the status of a member described in subparagraph (A), not less than once per week after notification under such subparagraph, until the commander changes the status of such member.

(2) Reporting to military installation command.--The commander of each military installation shall submit the protocol established pursuant to paragraph (1) to the relevant military installation command.

(d) Report of Chief of National Guard Bureau.--Not later than March 1, 2022, the Chief of the National Guard Bureau shall submit to the Committees on Armed Services and on the Judiciary of the Senate and House of Representatives, a report on the feasibility of implementing subsections (a), (b), and (c), with regards to facilities of the National Guard. Such report shall include a proposed timeline for such implementation and recommendations of the Chief.

SEC. 529D. DISTRIBUTION OF INFORMATION ON THE AVAILABILITY OF CIVILIAN VICTIM SERVICES.

(a) Information Distribution.--Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall--

(1) require each military legal service provider to provide, to each victim referred to such provider, a list of approved civilian victim service organizations from which the victim may seek legal assistance, legal representation, or other legal services; and

(2) direct the Sexual Assault Prevention and Response Office of the Department of Defense to carry out activities to ensure the widespread distribution, throughout the Department, of information on the availability of services from civilian victim service organizations.

(b) Approval of Organizations.--The Secretary of Defense, acting through the Sexual Assault Prevention and Response Office of the Department of Defense, shall establish criteria for the approval of civilian victim service organizations for inclusion on the list described in subsection (a)(1).

(c) Definitions.--In this section:

(1) The term ``civilian victim service organization'' means an organization outside the Department of Defense that is approved by the Secretary of Defense for the purpose of providing legal assistance, legal representation, or other legal services directly to a victim.

(2) The term ``military legal service provider'' means an individual or organization within the Department of Defense authorized to provide legal assistance, legal representation, or other legal services directly to a victim.

(3) The term ``victim'' means the victim of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

SEC. 529E. REPORT ON MANDATORY RESTITUTION.

Not later than April 30, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Department's progress in evaluating the feasibility and advisability of authorizing mandatory restitution

as a component of the sentence for a conviction of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

SEC. 529F. EXCLUSION OF EVIDENCE OBTAINED WITHOUT PRIOR AUTHORIZATION.

Section 271 of title 10, United States Code, is amended by adding at the end the following new subsection:

``(d) Notwithstanding any other provision of law, any information obtained by or with the assistance of a member of the Armed Forces in violation of section 1385 of title 18, shall not be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.''.

SEC. 529G. REPORT ON DEMOGRAPHICS OF MILITARY POLICE AND SECURITY FORCES CITATIONS.

(a) In General.--Not later than March 1 of each year, the Secretary of Defense, in coordination with each Secretary of a military department, shall submit to the congressional defense committees a report on the demographics of citations issued by the military police and other security forces of each Armed Force.

(b) Elements.--The report required by subsection (a) shall include each of the following elements:

(1) The number of security citations issued in each Armed Force in the preceding fiscal year, disaggregated by--
(A) the offense for which the citation was issued;
(B) the race, gender, and ethnicity of the individual who was issued the citation; and
(C) the race, gender, and ethnicity of the individual who issued the citation.

(2) An assessment of any disparities in race, gender, and ethnicity in citations issued to individuals in the preceding fiscal year.

(3) An assessment of any disparities in race, gender, and ethnicity in citations issued by individuals in the preceding fiscal year, including consideration of the race, gender, and ethnicity of the individual to whom the citation was issued.

(4) An assessment of any trends in disparities in race, gender, and ethnicity in citations over the preceding ten fiscal years.

(5) Actions taken in the preceding fiscal by the Secretary of Defense and each Secretary of a military department to address any disparities in race, gender, or ethnicity in citations issued to individuals.

(6) A plan to reduce any disparities in race, gender, or ethnicity in citations issued to individuals during the fiscal year in which the report is submitted.

(c) Publication.--The Secretary of Defense shall--

(1) publish on an appropriate publicly available website of the Department of Defense the reports required by subsection (a); and

(2) ensure that any data included with each such report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(d) Termination.--The requirement under this section shall terminate on December 31, 2026.

Subtitle D--Implementation of Recommendations of the Independent Review Commission on Sexual Assault in the Military